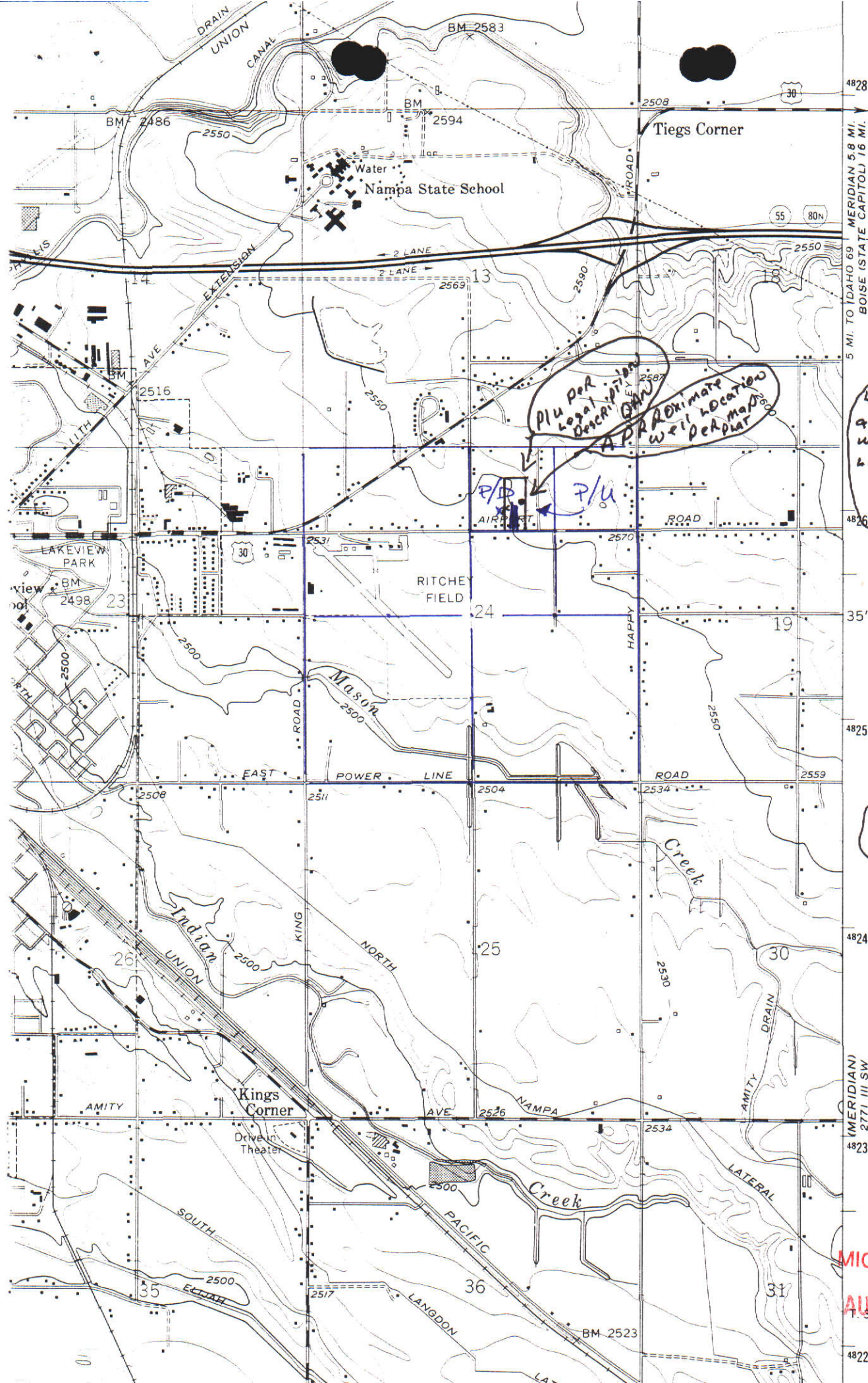




~~Legal Description~~

SW  
NW  
SE  
NE  
S 1/2

Legal Description  
AND PLAT MAP  
WERE USED TO  
LOCATE P/U : P/D  
OAN  
5-20-99

T3N  
R2W  
S24  
NWNE

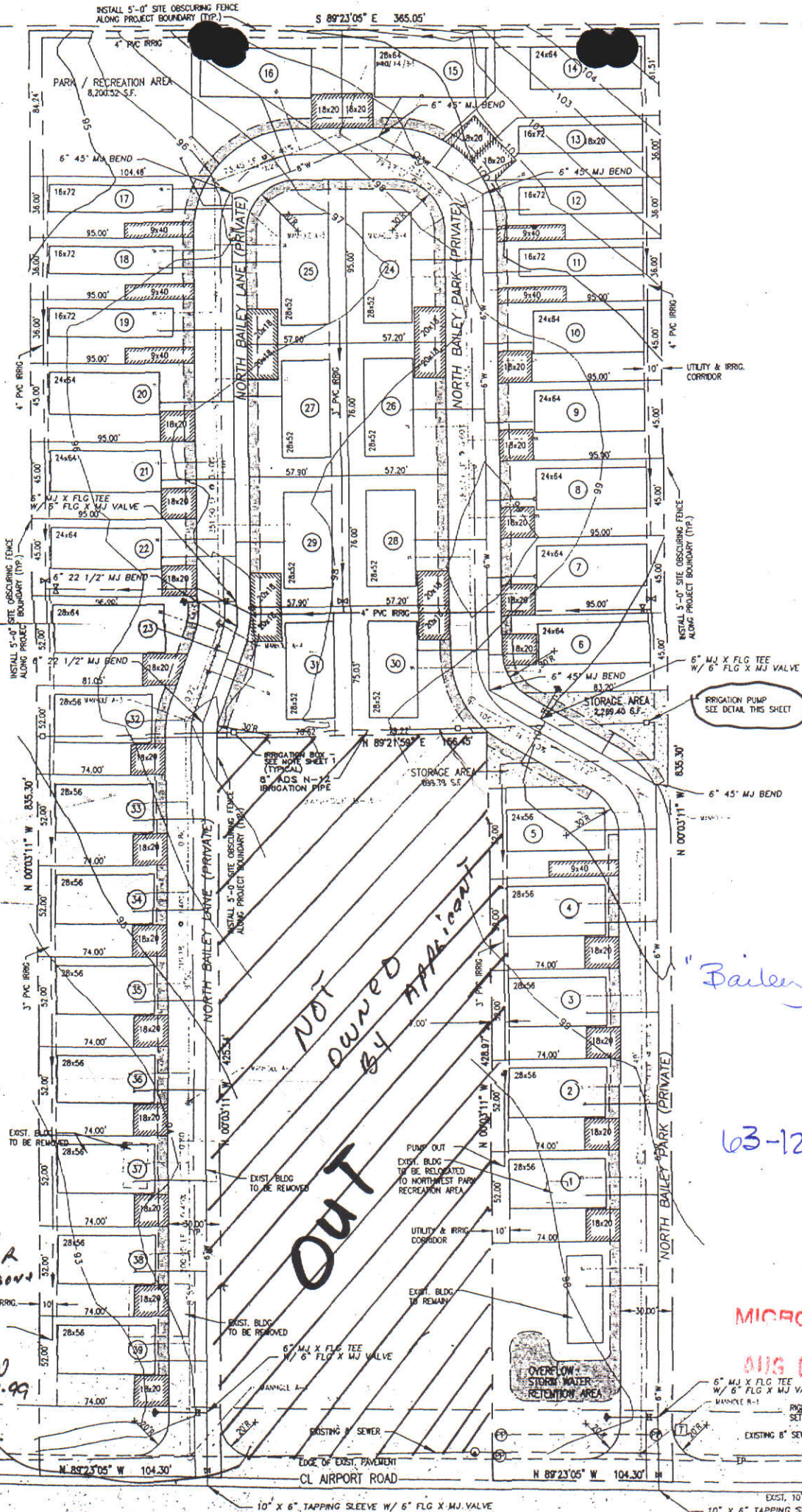
(no govt lts)

63-12518

4/29/99

MICROFILMED

AUG 09 1999



Removed This  
PROPERTY PPA  
6-4-99 TEL: 490-1111  
Call with  
Applicant.  
DAN  
6-4-99

NOT  
owned  
by  
applicant

"Bailey Park"

63-12518

MICROFILMED

AUG 09 1999

4/29/99  
c3.

SOUTH BOUNDARY  
HAPPY VALLEY NO. 3

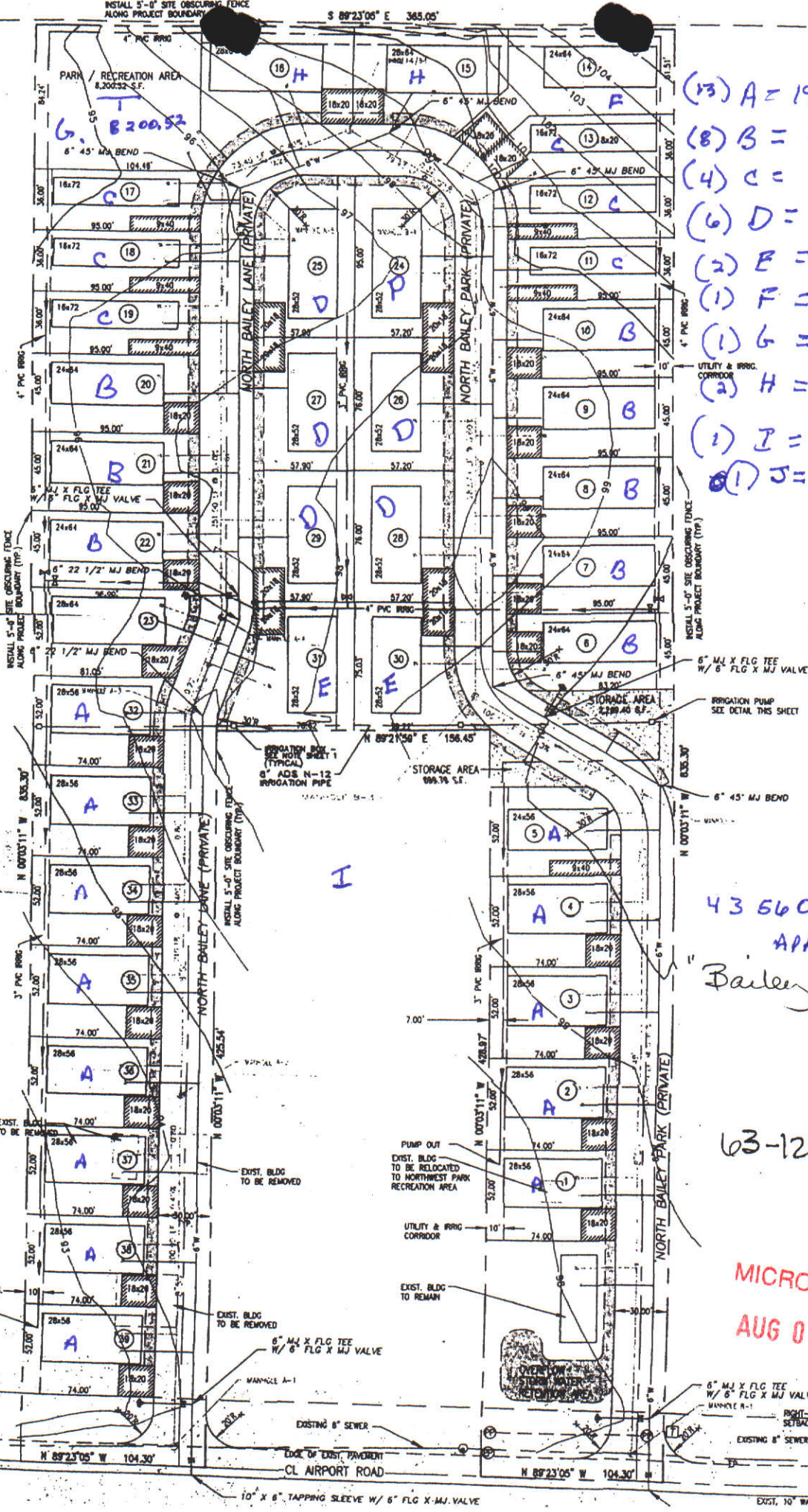
INSTALL 5'-0" SITE OBSCURING FENCE  
ALONG PROJECT BOUNDARY

S 89°23'05" E 365.05'

TOTAL  
Acres 4.3560  
Including  
Homes

(365.05) (835.3)  
43,560

7 ACRES.



- (13) A = 1920 sq ft
- (8) B = 2379 sq ft
- (4) C = 1908 sq ft
- (6) D = 2531.2 sq ft
- (2) E = 3302
- (1) F = 3948
- (1) G = 8200.52
- (2) H = 5941
- (1) I = 66,836
- (1) J = 2424

TOTALS

- A = 24960
- B = 19032
- C = 7632
- D = 15186
- E = 6604
- F = 3948
- G = 8200.52
- H = 11882
- I = 66,836
- J = 2424

43560 166,705

APPROX. 3.8 ACRES  
"Bailey Park" TRAILGATED

115 ETC  
2.3 AC.  
39 UNITS

63-12518

APPROX.  
.1 ACRES  
PER UNIT.

MICROFILMED  
AUG 09 1999

4/29/99  
C3.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 20 2001

PROOF OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 63-12518 Telephone No. (208) 939-1372

2. Name of Permit Holder(s): THOMAS G. & COLLEEN MAILE

3. Mailing Address: 380 W. STATE

City EAGLE State ID Zip 83616

4. Source of Water: WELL If GROUNDWATER (well), Date Drilled: mo. \_\_\_\_\_ / yr. \_\_\_\_\_

a. Well Driller: CAN-ADA WELL DRILLING Drilling Permit Number: 63 - 93 - N - 0491 - 000

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 39 Stockwater (No. and type of stock): \_\_\_\_\_

Irrigation (No. of acres): \_\_\_\_\_ Other: \_\_\_\_\_

6. Total rate of diversion and/or volume for which proof is submitted: .11 cfs ? cfs OR \_\_\_\_\_ acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?

Yes \_\_\_\_\_ or No \_\_\_\_\_

Has the measuring device been installed?

Yes \_\_\_\_\_ or No \_\_\_\_\_

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: THOMAS G. MAILE Telephone Number: 208-939-1372

Address: 380 W. STATE, EAGLE, ID 83616

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: [Signature] Date: 2/16/01

(include your title, if on behalf of company or organization)

MICROFILMED

MAR 2 9 2001

RECEIVED

JUN 19 2000

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

Department of Water Resources

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF  
BENEFICIAL USE FOR A WATER RIGHT PERMIT

RECEIVED

JUN 13 2000

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 63-12518

Name(s) of Permit Holder: COLLEEN BIRCH MAILE and THOMAS G. MAILE, IV

Address: 380 WEST STATE City EAGLE State ID Zip 83616

Telephone No. (208) 939-1000 Date Proof is Due: AUGUST 1, 2000

Describe what work has been completed toward the development of this water right:

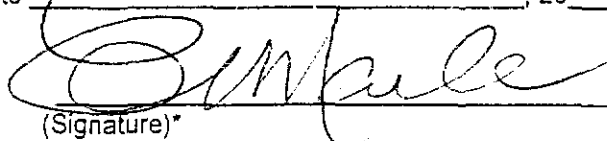
(This must be filled out! If no work has been completed, show "none".)

Applicants have incurred the expense of installing a pump in the well  
subject to the permit and have paid approximately \$4,300 (see attached  
billing from Caron Pump indicating the same was installed in May, 2000).  
Currently, applicant is constructing an underground sprinkler system to  
service the subject lots. Costing \$                     

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Applicant had to wait until manufactured homes were delivered on the site  
before installing any sprinkler systems, and since 1-2000 there have been  
15 homes moved onto the subject real property. Prior to that time, there  
were no homes located on the property. Consequently, applicant could not  
incur any expenses associated with the underground sprinkling.

Permit holder(s) request an extension to December 1, 2000

  
(Signature)\*

\*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be

APPROVED and the time within which to submit proof of beneficial use  
is extended to August 1, 2001.

Signed this 21<sup>st</sup> day of June, 2000

MICROFILMED

  
L. Glen Saxton, Chief  
Water Allocation Bureau

JUN 19 2000

State of Idaho  
Department of Water Resources  
**Permit To Appropriate Water**

NO. 63-12518

Proposed Priority: April 29, 1999

Maximum Diversion Rate:

0.08 CFS

This is to certify, that **THOMAS G MAILE IV**  
**COLLEEN BIRCH MAILE**  
380 W STATE ST  
EAGLE ID 83616

has applied for a permit to appropriate water from: **GROUNDWATER**

and a permit is **APPROVED** for development of water as follows:

|                              |                             |                                 |
|------------------------------|-----------------------------|---------------------------------|
| <u><b>BENEFICIAL USE</b></u> | <u><b>PERIOD OF USE</b></u> | <u><b>RATE OF DIVERSION</b></u> |
|------------------------------|-----------------------------|---------------------------------|

|          |                |          |
|----------|----------------|----------|
| DOMESTIC | 01/01 to 12/31 | 0.08 CFS |
|----------|----------------|----------|

**LOCATION OF POINT(S) OF DIVERSION:**

NWNE , Sec. 24, Township 03N, Range 02W  
CANYON County

**PLACE OF USE:** DOMESTIC

**TWN RGE SEC**

03N 02W 24

NWNE

**CONDITIONS OF APPROVAL AND REMARKS**

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **August 1, 2000**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
5. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary for this purpose will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
6. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
7. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.

MICROFILMED

State of Idaho  
Department of Water Resources

# Permit To Appropriate Water

NO. 63-12518

## CONDITIONS OF APPROVAL AND REMARKS

8. The irrigation occurring under this domestic use shall not exceed 1/2 acre associated with each mobile home. This right does not provide for irrigation of common areas.
9. Domestic use is for lawn irrigation for 39 mobile homes located in Bailey Park.
10. Water bearing zone to be appropriated is 60 to 150 feet.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.  
Witness the signature of the Director, affixed at Boise, this

26 day of July, 1999.

*Karl J. Dreher*  
for  
Karl J. Dreher, Director

MICROFILMED

1999 08 19

(Internet)

Ident. No. 63-12518

RECEIVED

APR 29 1999

WATER RESOURCES  
WESTERN REGIONSTATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

APR 29 1999

Department of Water Resources

1. Name of Applicant Thomas G. Maile, IV, and Colleen Birch-Maile Phone (208) 939-1372  
Mailing address 380 West State Street, Eagle, Idaho 83616
2. Source of water supply ground water which is a tributary of \_\_\_\_\_
3. Location of point of diversion is Township 3N Range 2W Sec. 24 in the NW 1/4, NE 1/4, 1/4, Govt. Lot \_\_\_\_\_, B.M., CANYON County; \*  
additional points of diversion if any: \_\_\_\_\_
4. Water will be used for the following purposes:  
Amount .11 cfs for domestic use purposes from 4-1 to 10-15 (both dates inclusive) \*  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .11 cfs .08 cfs and/or (b) \_\_\_\_\_  
cubic feet per second acre feet per annum
6. Proposed diverting works:  
a. Describe type and size of devices used to divert water from the source \_\_\_\_\_  
b. Height of storage dam \_\_\_\_\_ feet; active reservoir capacity \_\_\_\_\_ acre-feet; total reservoir capacity \_\_\_\_\_ acre-feet  
c. Proposed well diameter is 6 inches; proposed depth of well is 150 feet  
d. Is ground water with a temperature of greater than 85°F being sought? \_\_\_\_\_  
e. If well is already drilled, when? 4-25-93; Drilling firm Can-Ada Well Drilling - Per well LOG. \*  
Well was drilled for (well owner) Neil Van Slyke; Drilling Permit No. 63-93-W-0491-000
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):  
a. Hydropower; show total feet of head and proposed capacity in KW. \_\_\_\_\_  
b. Stockwatering; list number and kind of livestock. \_\_\_\_\_  
c. Municipal; show name of municipality. \_\_\_\_\_  
d. Domestic; show number of households. 39 mobile home lots for external use.  
e. Other; describe fully. \_\_\_\_\_

MICROFILMED

\* see ATTACHED MEMO DATED 6-9-99. DAN 6-9-99

JUL 09 1999

9. Description of place of use: N/A

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RGE | SEC | N E |    |    |    | N W |    |    |    | S W |    |    |    | S E |    |    |    | TOTALS |
|-----|-----|-----|-----|----|----|----|-----|----|----|----|-----|----|----|----|-----|----|----|----|--------|
|     |     |     | NE  | NW | SW | SE | NE  | NW | SW | SE | NE  | NW | SW | SE | NE  | NW | SW | SE |        |
| 3N  | 2W  | 24  |     | D  |    |    |     |    |    |    |     |    |    |    |     |    |    |    | —      |
|     |     |     |     |    |    |    |     |    |    |    |     |    |    |    |     |    |    |    |        |
|     |     |     |     |    |    |    |     |    |    |    |     |    |    |    |     |    |    |    |        |
|     |     |     |     |    |    |    |     |    |    |    |     |    |    |    |     |    |    |    |        |
|     |     |     |     |    |    |    |     |    |    |    |     |    |    |    |     |    |    |    |        |
|     |     |     |     |    |    |    |     |    |    |    |     |    |    |    |     |    |    |    |        |
|     |     |     |     |    |    |    |     |    |    |    |     |    |    |    |     |    |    |    |        |
|     |     |     |     |    |    |    |     |    |    |    |     |    |    |    |     |    |    |    |        |

Total number of acres to be irrigated —

10. Describe any other water rights used for the same purposes as described above. N/A

11. a. Who owns the property at the point of diversion? Thomas G. Maile & Colleen Birch-Maile, H&W

b. Who owns the land to be irrigated or place of use? Thomas G. Maile & Colleen Birch-Maile, H&W

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: —

12. Remarks: Place of use is locally known as Bailing Park. ← COMMENTS DAN 6-4-99

REMARKS - APPLICANT agrees TO MITIGATE CONSUMPTIVE

USE IN THE FUTURE as needed. DAN 6-4-99

TO WITHDRAW DIVERT WATER

FROM THE 60 TO 150 FT. WATER BEARING ZONE. DOMESTIC USE IS FOR

39 YARDS IN BAILLY MANUFACTURED HOME PARK.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.



Signature of Applicant (and title, if applicable)

Received by CS Date 4/29/99 Time 11:00am Preliminary check by DAN  
Fee \$ 50.00 Receipted by CS # C045273 Date 4/29/99  
Publication prepared by AK Date 6-9-99 Published in Idaho Star 6-17-99  
Publication approved AK Date 7-11-99 MICROFILMED

\* See Attached memo Dated 6-9-99. DAN. 6-80889 1999

Comments: Date: 4/29/1999 User-ID: CZIMMERM

Subject: Diversion Description

This application is for lawn watering for 39 mobile home lots within Bailey Park. The applicant understands he needs to continue using surface water as the primary water source for irrigation. Total lawns +/- 2.3 acres.

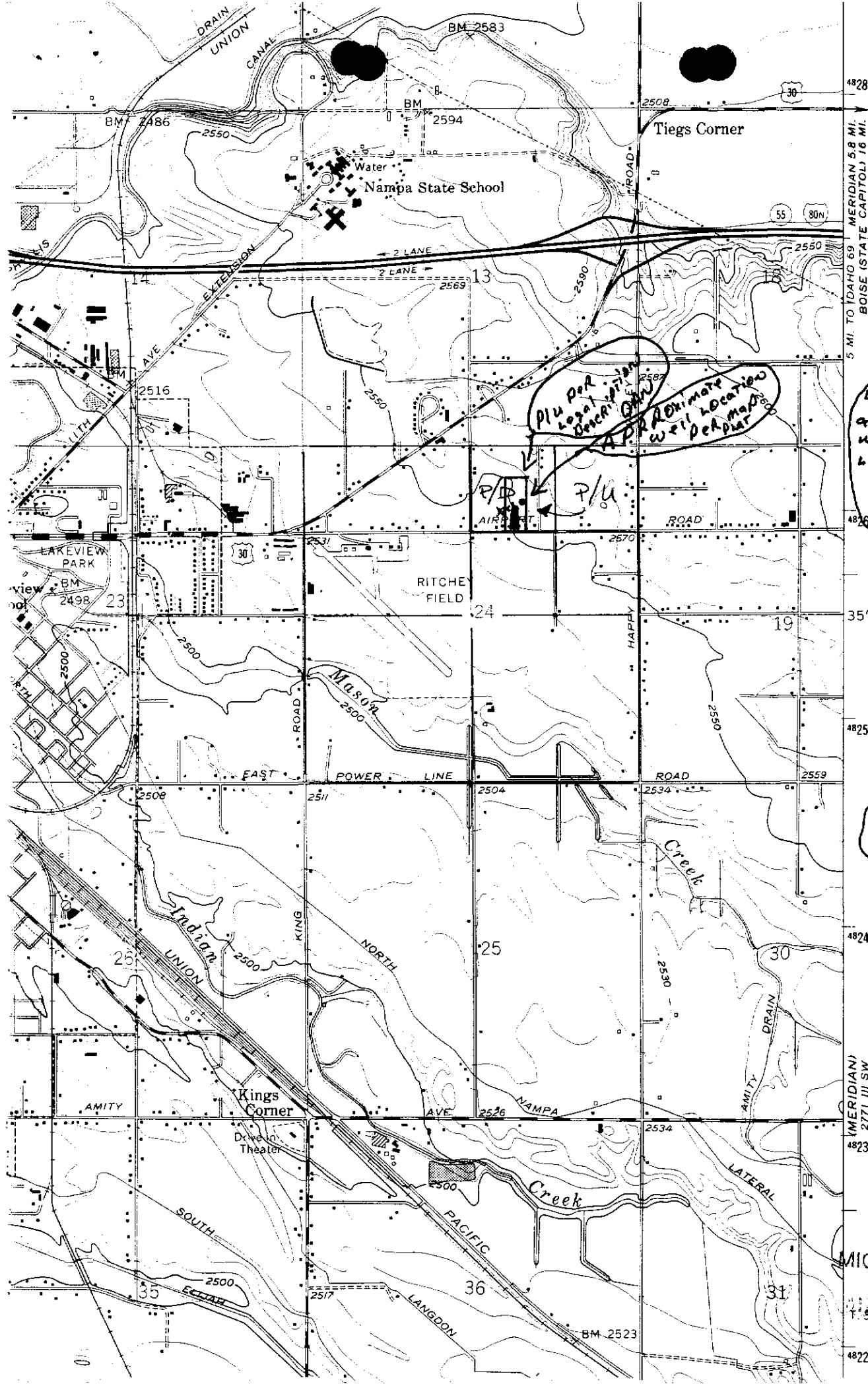
Comments: Date: 6/ 9/1999 User-ID: DNELSON

Subject: ADDITIONAL INFORMATION

This application is for supplemental water to the 3.39 inches of Namp Irrigation District water currently on the property. Measurements of the plat map supplied showed that approximately 2.5 acres of ground can be irrigated.

MICROFILMED

APR 09 1999



~~Legal Description~~

2 1/2  
3 1/2  
3 1/2  
3 1/2  
5 1/2

Legal Description  
AND PLAT MAP  
WERE USED TO  
LOCATE PLU : PID  
OAN  
5-20-99

T3N  
R2W  
S24  
NWNE

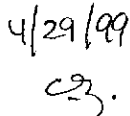
(No govt loto)

63-12518

4/29/99

MICROFILMED

APR 29 1999





State of Idaho

**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098  
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

March 7, 2001

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

THOMAS G MAILE  
COLLEEN BIRCH  
380 WEST STATE  
EAGLE ID 83616

**PROOF ACKNOWLEDGMENT LETTER**

**RE: PERMIT NO. 63-12518**

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **Western** Regional Office of the department in Boise at (208) 334-2190.

Sincerely,

Deborah J. Gibson  
Administrative Assistant  
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

**MICROFILMED**

MAR 23 2001

## ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 63-12518

Reviewed By: dgibson

Date: March 6, 2001

|                                   | <u>Yes</u> | <u>No</u> |                                  | <u>Yes</u> | <u>No</u> |
|-----------------------------------|------------|-----------|----------------------------------|------------|-----------|
| Proof received timely?            | X          |           | Drilling permit required?        | X          |           |
| License examination fee required? | X          |           | Drilling permit No.:             |            |           |
| Appropriate fee submitted?        | X          |           | Drilling permit upgrade needed?  |            |           |
| Receipt No.:                      |            | C052335   | Well driller's report filed?     | X          |           |
| Additional Amount Due:            |            |           | Measuring device required?       |            | X         |
| Name and address same as permit?  | X          |           | Measuring device installed?      |            |           |
| Are the water uses correct?       | X          |           | Measure device waiver requested? |            |           |

### Priority Calculation

|                     |   |            |
|---------------------|---|------------|
| Date proof received |   | 02/20/2001 |
| Date proof due      | - | 08/01/2001 |
| Lapse notice sent   | - |            |
| No. of days late    | = | 0          |
| Holiday allowance   | + |            |
| Priority date       | + | 04/29/1999 |
| New priority date   | = | 04/29/1999 |

### Deficiencies of Actions Items

Acknowledge proof.

MICROFILMED

MAR 23 2001

**THOMAS MAILE REAL ESTATE COMPANY  
BAILEY PARK MANUFACTURED HOME PARK**

380 WEST STATE STREET, EAGLE, IDAHO 83616  
(208) 939-1000 / Fax (208) 939-1001

February 16, 2001

Deborah Drew-Ellis  
Administrative Assistant  
State of Idaho  
Department of Water Resources  
Post Office Box 83720  
Boise, Idaho 83720-0098

**RECEIVED**

**FEB 20 2001**

Department of Water Resources

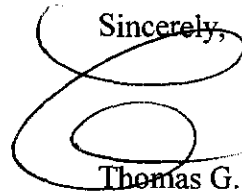
Re: Permit No. 63-12518  
Permit Holders: Colleen Birch Maile and Thomas G. Maile, IV  
380 West State Street, Eagle, Idaho

Dear Ms. Drew-Ellis:

Please find enclosed our completed **ORIGINAL** Proof of Beneficial Use indicating we now have the system up and running, and we request an inspection be scheduled during the upcoming irrigation season.

We are also enclosing our check in the amount of \$50.00 for your fee. Please contact our office to confirm this fee amount is correct.

Sincerely,



Thomas G. Maile, IV

TGM

G:\WPDATA\H\BAILEY\DREW-ELL.LT4

Enclosures

MICROFILMED

MAY 23 1971



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

June 21, 2000

RECEIVED

JUN 22 2000

Department of Water Resources

THOMAS G MAILE IV  
COLLEEN BIRCH MAILE  
380 W STATE ST  
EAGLE ID 83616

RE: PERMIT NO. 63-12518

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time submitted in connection with the above referenced permit which extends the time within which to submit proof of beneficial use of water to **August 1, 2001**.

Please note that the department granted this extension based on **due diligence**. It is important that you work diligently toward the completion of this project during the construction period allowed since the department will not be able to grant additional extensions based on due diligence.

Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

Please feel free to contact the department if you have questions.

Sincerely,

Deborah Drew-Ellis  
Administrative Assistant  
Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

MICROFILMED

MAR 29 2001

RECEIVED

JUN 19 2000

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

Department of Water Resources

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF  
BENEFICIAL USE FOR A WATER RIGHT PERMIT

RECEIVED

JUN 13 2000

RECEIVED

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 63-12518

Name(s) of Permit Holder: COLLEEN BIRCH MAILE and THOMAS G. MAILE, IV

Address: 380 WEST STATE City EAGLE State ID Zip 83616

Telephone No. (208) 939-1000 Date Proof is Due: AUGUST 1, 2000

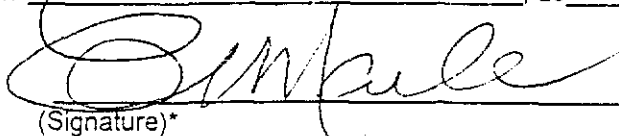
Describe what work has been completed toward the development of this water right:  
(This must be filled out! If no work has been completed, show "none".)

Applicants have incurred the expense of installing a pump in the well subject to the permit and have paid approximately \$4,300 (see attached billing from Caron Pump indicating the same was installed in May, 2000). Currently, applicant is constructing an underground sprinkler system to service the subject lots. Costing \$

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Applicant had to wait until manufactured homes were delivered on the site before installing any sprinkler systems, and since 1-2000 there have been 15 homes moved onto the subject real property. Prior to that time, there were no homes located on the property. Consequently, applicant could not incur any expenses associated with the underground sprinkling.

Permit holder(s) request an extension to December 1, 2000

  
(Signature)\*

\*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

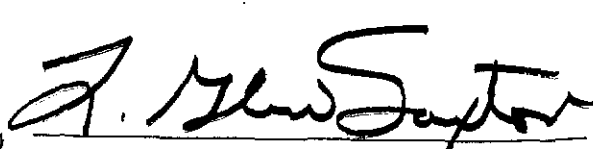
IT IS HEREBY ORDERED that the above request for extension of time be

APPROVED and the time within which to submit proof of beneficial use is extended to August 1, 2001.

Signed this 21<sup>st</sup> day of June

MICROFILMED

JUN 23 2001

  
L. Glen Saxton, Chief  
Water Allocation Bureau



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE  
GOVERNOR

June 21, 2000

KARL J. DREHER  
DIRECTOR

THOMAS G MAILE IV  
COLLEEN BIRCH MAILE  
380 W STATE ST  
EAGLE ID 83616

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Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time submitted in connection with the above referenced permit which extends the time within which to submit proof of beneficial use of water to **August 1, 2001**.

Please note that the department granted this extension based on **due diligence**. It is important that you work diligently toward the completion of this project during the construction period allowed since the department will not be able to grant additional extensions based on due diligence.

Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

Please feel free to contact the department if you have questions.

Sincerely,

Deborah Drew-Ellis  
Administrative Assistant  
Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

MICROFILMED

MAY 29 2001

# ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 63-12518 Reviewed by D. Ellis Date 6/20/00

## BASIC INFORMATION

6/19/00 Date stamp received  
Yes Extension received timely  
Yes Fee received and receipted  
Yes Name and signature same as permit  
No Address Change

## BASIS FOR EXTENSION REQUEST

Yes Has adequate work been completed to demonstrate due diligence?  
No Has the permit been involved in litigation?  
Is supporting documentation needed to complete the file? \_\_\_\_\_ Requested? \_\_\_\_\_  
No Is delay by a government agency?  
Is supporting documentation needed to complete the file? \_\_\_\_\_ Requested? \_\_\_\_\_  
No Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

## ACTION TAKEN

Approve extension and grant extension to Aug. 1, 2001.

## PRIORITY CALCULATION

|                         |                |   |          |
|-------------------------|----------------|---|----------|
| Date extension received | <u>6/19/00</u> | = | <u>/</u> |
| Proof due date          | <u>8/1/00</u>  | = | <u>/</u> |
| Number of days late     | <u>/</u>       | = | <u>/</u> |
| Priority date           | <u>/</u>       | = | <u>/</u> |
| New Priority Date       | <u>/</u>       | = | <u>/</u> |

## DATA ENTRY

New Address No  
Change Proof Due Date Aug. 1, 2001  
Change Priority Date No

**RECEIPT**  
For Monies Paid  
to the  
Idaho Department of Water Resources

Receipt No:

0044849

Date:

Time:

01/27/2007  
10:08:10

Received

From:

THOMAS MAILE REAL ESTATE

Type of Payment

Program A cct

Amount

EXTENSION OF TIME ( 63-12518)

56103

229 21 1155

50.00

Total

\$

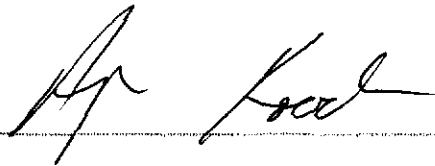
50.00

CHECK

002208

Region: STATE

Signature:



MICROFILMED

MAR 29 2007

**THOMAS MAILE REAL ESTATE COMPANY  
BAILEY PARK MANUFACTURED HOME PARK**

380 WEST STATE STREET, EAGLE, IDAHO 83616  
(208) 939-1000 / Fax (208) 939-1001

June 15, 2000

Deborah Drew-Ellis  
Administrative Assistant  
State of Idaho  
Department of Water Resources  
Post Office Box 83720  
Boise, Idaho 83720-0098

Re: Permit No. 63-12518  
Permit Holders: Colleen Birch Maile and Thomas G. Maile, IV  
380 West State Street, Eagle, Idaho

Dear Ms. Drew-Ellis:

Please find enclosed an **ORIGINAL** and one copy of our Request for Extension of Time, together with our check in the amount of \$50.00. Please file this document and return a stamped, conformed copy to our office in the self-addressed, stamped envelope enclosed for your convenience.

Sincerely,



Thomas G. Maile, IV

TGM

CA\WPDATA\H\BAILEY\DREW-ELL.LT1

Enclosures

MICROFILMED

MAR 29 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

June 14, 2000

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

THOMAS G MAILE IV  
THOMAS MAILE REAL ESTATE CO  
380 W STATE ST  
EAGLE ID 83616

RE: Permit No. 63-12518

Dear Permit Holder:

Enclosed is a copy of the Request for Extension of Time you submitted to the department in connection with the above referenced water right. In order for the department to take action on the extension request, it must be accompanied by a \$50.00 filing fee.

Please return the copy of the extension request along with the \$50.00 filing fee within **ten (10) days** of receipt of this letter, and address your correspondence to my attention.

Please contact me directly at (208)327-7953, if you have any questions regarding this matter.

Sincerely,

A handwritten signature in cursive script that reads "Deborah Drew-Ellis".

Deborah Drew-Ellis  
Administrative Assistant  
Water Allocation Bureau

Enclosure

MICROFILMED

JUN 23 2000

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**REQUEST FOR EXTENSION OF TIME** RECEIVED  
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF **JUN 13 2000**  
BENEFICIAL USE FOR A WATER RIGHT PERMIT Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 63-12518  
Name(s) of Permit Holder: COLLEEN BIRCH MAILE and THOMAS G. MAILE, IV  
Address: 380 WEST STATE City EAGLE State ID Zip 83616  
Telephone No. (208) 939-1000 Date Proof is Due: AUGUST 1, 2000

Describe what work has been completed toward the development of this water right:

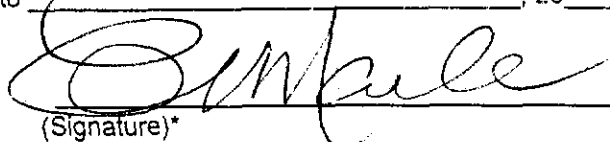
(This must be filled out! If no work has been completed, show "none".)

Applicants have incurred the expense of installing a pump in the well  
subject to the permit and have paid approximately \$4,300 (see attached  
billing from Caron Pump indicating the same was installed in May, 2000).  
Currently, applicant is constructing an underground sprinkler system to  
service the subject lots. Costing \$ \_\_\_\_\_

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Applicant had to wait until manufactured homes were delivered on the site  
before installing any sprinkler systems, and since 1-2000 there have been  
15 homes moved onto the subject real property. Prior to that time, there  
were no homes located on the property. Consequently, applicant could not  
incur any expenses associated with the underground sprinkling.

Permit holder(s) request an extension to December 1, 2000

  
(Signature)\*

\*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

MICROFILMED

MAY 23 2001

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
INSTRUCTIONS FOR EXTENSION OF TIME REQUEST  
TO SUBMIT PROOF OF BENEFICIAL USE

**If the water right development authorized by your permit is not complete and you need more time to submit proof of beneficial use of water under your permit, please read the following:**

Under the provisions of Section 42-204, Idaho Code, the department can extend the proof due date of your permit only once, and then only if you can demonstrate that you have been pursuing development of the permit with due diligence.

The Request for Extension of Time form requires that you indicate the extent of development that has occurred, the cost, and the reason(s) the work has not been completed. This information must be provided in enough detail to show due diligence. Examples of work performed are: well drilled, pump installed, 10 acres now irrigated, fish propagation ponds constructed, sprinkler system purchased, etc.

If no work has been accomplished, the statutes provide that the Request for Extension of Time must be denied. **Lack of financial resources, the state of the economy or personal illness usually cannot be considered adequate reasons to approve a Request for Extension of Time.**

**EXCEPTIONS TO ONLY ONE EXTENSION**

The proof due date for a permit that has not been developed for one of the following reasons may be granted one or more extensions of time even though no work has been accomplished:

- When there is a lack of a required consent or final approval from a federal government agency (**evidence of delay must be submitted with the request**), i.e. right-of-way easement or land classification such as Desert Land Entry or Carey Act.
- When litigation related to title of the water has prevented development of the permit (**evidence must be submitted with the request**).
- When the water project is of a large scale -- storage of more than 10,000 acre-feet or diversion of more than 25,000 acre-feet in one irrigation season for an irrigation project of at least 5,000 acres.
- When the water right permit is held by the United States of America (**reason for request must be submitted**).

A non-refundable filing fee of \$50.00 must accompany the Request for Extension of Time form.

**NOTE** that in no case should a Proof of Beneficial Use form and a Request for Extension of Time form both be submitted. If your water development project is completed, then the proof of beneficial use form should be completed and returned. If the project is started but not completed, then the Request for Extension of Time form should be completed and returned in compliance with the guidelines above. If the project has not been initiated and does not fit into one of the exceptions listed above, then neither form should be returned and the permit will lapse and become of no further effect.

MAR 28 2011

RECEIVED

JUN 13 2000

**THOMAS MAILE REAL ESTATE COMPANY**  
**BAILEY PARK MANUFACTURED HOME PARK**

Department of Water Resources

380 WEST STATE STREET, EAGLE, IDAHO 83616  
(208) 939-1000 / Fax (208) 939-1001

June 8, 2000

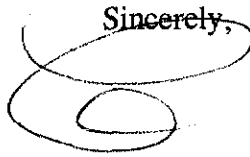
Deborah Drew-Ellis  
Administrative Assistant  
State of Idaho  
Department of Water Resources  
Post Office Box 83720  
Boise, Idaho 83720-0098

Re: Permit No. 63-12518  
Permit Holders: Colleen Birch Maile and Thomas G. Maile, IV  
380 West State Street, Eagle, Idaho

Dear Ms. Drew-Ellis:

Please find enclosed an **ORIGINAL** and one copy of our Request for Extension of Time. Please file this document and return a stamped, conformed copy to our office in the self-addressed, stamped envelope enclosed for your convenience.

Sincerely,



Thomas G. Maile, IV

TGM

G:\WPDATA\H\BAILEY\DREW-ELL.LTR

Enclosures

MICROFILMED

MAY 24 2001

May 31, 2000

COLLEEN BIRCH MAILE  
THOMAS G MAILE IV  
380 W STATE ST  
EAGLE ID 83616

PROOF DUE NOTICE

RE: PERMIT NO. 63-12518

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before August 1, 2000.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

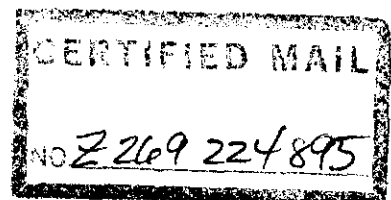
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

DEBORAH DREW-ELLIS  
Administrative Assistant

Enclosures

MICROFILMED



MAY 2 2 1998



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

May 1, 2000

THOMAS G MAILE IV  
COLEEN BIRCH MAILE  
380 W STATE ST  
EAGLE ID 83616

Re: Water Right Permit No. 63-12518

Dear Mr. Maile:

Enclosed per our telephone conversation today are copies of the Application for Permit to Appropriate the Public Waters of the State of Idaho and the Permit approving development of this right. These are the key documents within your water right file. However, if you need anything further, please notify me, for additional information. Also enclosed is a Proof of Beneficial Use form, which is due to be filed with this office on or before August 1, 2000. As I mentioned, you will receive a Proof Due Notice around the first of June notifying you that the Proof of Beneficial Use is due.

Sincerely,

Deborah Drew-Ellis  
Administrative Assistant  
Water Allocation Bureau

Enclosures

MICROFILMED

MAY 2 3 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

July 27, 1999

COLLEEN BIRCH MAILE  
THOMAS G MAILE IV  
380 W STATE ST  
EAGLE ID 83616

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-12518

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

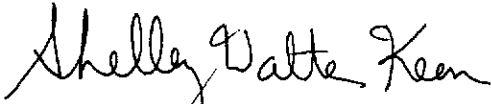
The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

COPIES  
JUL 29 1999

If you have any questions, please call me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen  
Water Rights Supervisor

SK:klt

Enclosures

MICROFILMED  
AUG 09 1993

CERTIFICATE OF MAILING

I hereby certify that on the 27th day of July, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 63-12518

THOMAS G MAILE IV  
COLLEEN BIRCH MAILE  
380 W STATE ST  
EAGLE ID 83616

  
Kari Lynn Townsend  
Secretary

MICROFILMED  
JUL 29 1999

## Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

### PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

### EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

### ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

MICROFILMED

AUG 09 1995

### CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

### FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

### APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

APPLICATION FOR PERMIT  
STATE OFFICE ANALYSIS

No.: 03-12518 Name: Waile Date: 7/22/99 Ad OK? ☒ / Gvmt Lts: by *Sturtis*

AREA OF CONCERN: - No/Yes: \_\_\_\_\_ Mor / \_\_\_\_\_ GWMA / Trust / Non-trust

PROTESTED: - 020 (Protest Agreement) or \*W19 (Order)

SYSTEM COMPLETED:

> 1 year - 28A-P17  
≤ 1 year/no proof - P16

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT

All wells (✓ WDQ3) - 046-P23  
In Basin 34? - 085  
Irr. within WD - P06 (new well location)

WMD (✓ MAP) - North / East / West

> 0.24 cfs/5 acres - 067  
≤ 0.24 cfs/5 acres - No MD

WMD

Supp irr use only - 065-079 (if GW use SW)-(keep SW)-(GW not primary irr source)  
Supp. irr + uses - 100-101  
> 0.24 cfs/5 acres - 01M (report when notified)  
≤ 0.24 cfs/5 acres - No MD

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated):

FISH & GAME CONTACTED: - YES / NO; WHEN: \_\_\_\_\_ RESPONSE: \_\_\_\_\_

IN/ABOVE MSF (✓ MAP) - \*WB9

IN-STREAM DEVELOPMENT - P52 (stream channel alteration)

WD (✓ MAP & LISTING) - R04 (WD # \_\_\_\_\_)

> 0.20 cfs - 01J-P08 (MD & LD)  
≤ 0.20 cfs - 01H-P01 (LD), 01P or No MD (in-stream stock)

WMD (✓ MAP)

> 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)  
≤ 0.24 cfs/5 acres - No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres - 01M or No MD (in-stream stock or power)  
≤ 0.24 cfs/5 acres - No MD

RIVER BASINS: (\*Surface water):

Snake R (01) - \*W22-P04, NA  
(02/03-irr) - 007 (w/ remark \*WB9 if above Weiser), NA  
Payette R(65) - \*W22 (regulated uses), 047-P04 (Payette Lake), NA  
Salmon R (70's) - 029 (fish screens), NA  
Weiser R (67) - 086, 087

USE:

STORAGE (✓ 3 compo.) - 18A (in & out MD for on-stream storage)-01H-P01 (LD)/01P, 18B-P09 (>10' dam), NA

IRR ≤ 5 acres - R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)  
> 5 acres - R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)

STOCKWATER - R37 (BLM/USFS); NA

MINING - 054(req)-081-P10

FISH PROPAGATION - 029(70's only)-007-042(req)-081 (WQ)-P10

HEATING/COOLING - R07 (injection well)

POWER - 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);  
17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

MUNICIPAL

In restricted area? - 022, 075, 004 (+memo?)

Irr., GW supp. to SW? - 102

DOMESTIC

Surface water - \*WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA

>1 in rest. area - 071-070 - *Six (6) remarks*

FIRE PROTECTION - 077 *6/c*

LOCATION:

BOISE FRONT LOGEO - 058 (<85° GW temp only)

MITIGATION - 120

42-248 AREA - P84 (in 20/30/40/50/60/70/80 (87) basin)

SWAN FALLS FLAG (✓ Code)

Trust - 051-052-053-P74 (Consumptive Uses), NA

Non-Trust (1) - 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:

STANDARD REMARKS: - *External 39 homes. 2/25/99 to 1/1/00*

BENEFICIAL USE DUE: - *8/11/2000*

COMMENTS:

JUL 22 1999

Form No. 202a.

9/98

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES  
APPROPRIATION APPLICATION ANALYSIS SHEETINITIAL REVIEW BY: DAN DATE: 5-19-99 APPLICATION: 63-12518REQUIRED INFORMATION

- ☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
- ☒ Address:
- ☒ Source: (See USGS Quad for names of water sources)
- ☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☒ County:
- ☒ Quantity: (flow and/or volume)
- ☒ Period of use:
- ☒ Nature of proposed use: (Include description of use)
- ☒ Description of diverting works:
- ☒ Time required for beneficial use of water:
- ☒ Place of use or acres irrigated:
- ☒ Map: (show T, R, S, QQ &/or QQQ)
- ☒ Subdivision plat: (for > 1 home in restricted area.  $\geq$  5 homes in non-restricted area)
- ☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid

Gov't. Lots:

NO P/DNO P/UADDITIONAL INFORMATIONYES ADVERTISE REMARK(S)

(Reviewer identify which remarks)

N/A T FLAG CHANGED TO P FLAG

YES NO

- ☒ ☐ Overlapping place of use: (Describe source & relationship to present application on next page.) 3,39 inches Nampa Irrigation District Water
- ☐ ☒ Overlapping point of diversion.
- ☐ ☒ Critical groundwater area:
- ☐ ☒ Groundwater management area:
- ☒ ☐ 1992 moratorium:
- ☐ ☒ Surface water source, IDFG letter needed.
- ☐ ☒ Bull trout impact area, IDFG letter needed
- ☐ ☒ E-mail to SCA staff: (perennial stream, non-pump diversion &/or any mining).
- ☐ ☒ E-mail to Dam Safety staff: (for any storage)
- ☒ ☒ Mitigation plan: Check any that apply.
- ☐ ☐ immediate = acceptable plan required and submitted.
- ☐ ☒ future = open areas, acceptance of condition of approval is in file.
- ☐ ☒ Send power requirement letter &/or fish farm requirement letter.
- ☐ ☒ Power residency affidavit:
- ☐ ☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
- ☐ ☒ \*REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

## PROCESSING

APP. NO. 63-12518

YES NO

☒ ☐ In form for advertising:  
☐ ☒ Statewide advertising: (> 10 cfs &/or 1000 af)  
☒ ☐ Fee amount, receipt number and date recorded on application:

SEND COPIES TO: NOTE IF E-MAIL COMMENT LETTER USED.

YES NO

☒ ☐ I.D. Health & Welfare  
☐ ☒ I.D. District Health  
☐ ☒ I.D. Fish & Game  
☐ ☒ I.D. Lands

YES NO

☐ ☒ U.S. BLM  
☐ ☒ U.S. Forest Service  
☐ ☒ Water Dist. # \_\_\_\_\_  
☐ ☒ Other \_\_\_\_\_

## FINAL REGIONAL PROCESSING REVIEW:

YES NO

☒ ☐ Affidavit of publication received:  
☒ ☐ Application published correctly: If not, record action taken.

☒ ☐ Publication dates and paper recorded on application:

☐ ☒ Final date for protest 7-6-99

☐ ☒ Protests received.

☐ ☒ Recommendations attached:

☐ ☒ Measuring device required:

☐ ☒ Water delivered by water master? District # \_\_\_\_\_

☒ ☐ Special conditions of approval or cover letter: 120, 070  
65 - 79, Standard conditions

See below for additional information

Recommended Date or Priority 4-29-1999

Recommended by: Daniel A. Nelson Date: 7-21-99

## ADDITIONAL INFORMATION:

There are NO OVERLAPPING WATER  
Rights OTHER THAN 3.39 inches  
OF Nampa irrigation. District  
WATER.

**NOTICE OF APPLICATION FOR WATER RIGHT**

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

**63-12053**

SPURLOCK, RAYMOND H

4756 DIANE AVE  
SAN DIEGO, CA 92117

Source: SPRING

Tributary: SNAKE RIVER

Diversion Pt: NENENW Sec 13 T 03N R 05W in CANYON County.

Use: IRRIGATION

( 0.090 CFS)

Total Diversion

( 0.090 CFS)

Date Filed: 9/14/1993

In: CANYON County

T03N R05W S13

NENW

3.0 ACRES TOTAL

Applicant agrees to mitigate consumptive use in the future as needed and seeks moratorium waiver due to source tributary to the Snake River.

**63-12514**

PLUMTREE SUBDIVISION

HOMEOWNERS ASSOC INC

1320 S BLACKCAT

MERIDIAN, ID 83642

Source: GROUNDWATER

Diversion Pt: LOT 7 (SWSW) Sec 6 T 04N R 02W in CANYON County.

Use: DOMESTIC

( 0.200 CFS)

Total Diversion

( 0.200 CFS)

Date Filed: 5/6/1999

In: CANYON County

T04N R02W S06 Lot 7 (SWSW)

10.0 ACRES TOTAL

Water bearing zone to be appropriated for supplemental lawn irrigation of 56 homes in Plumtree subdivision is from one to 100 feet.

Applicant agrees to mitigate consumptive use in the future as needed.

BIRCH MAILE, COLLEEN

MAILE IV, THOMAS G

380 W STATE ST

EAGLE, ID 83616

Source: GROUNDWATER

Diversion Pt: NWNE Sec 24 T 03N R 02W in CANYON County.

Use: DOMESTIC

( 0.080 CFS)

Total Diversion

( 0.080 CFS)

Date Filed: 4/29/1999

In: CANYON County

T03N R02W S24

NWNE

Applicant agrees to mitigate consumptive use in the future as needed. Domestic use is to divert water from the 60 to 150 foot water bearing zone for 39 lawns in Bailey Manufactured Home Park.

**63-12534**

MONROC CONCRETE

2755 E STATE ST

EAGLE, ID 83616

Source: GROUNDWATER

Diversion Pt: NWSW Sec 17 T 04N R 02W in CANYON County.

Use: COMMERCIAL

( 0.330 CFS)

DOMESTIC

( 0.040 CFS)

Total Diversion

( 0.330 CFS)

Date Filed: 10/13/1998

In: CANYON County

T04N R02W S17

SWNE

SENE

NESW

NWSW

SWSW

SESW

NESE

NWSE

Applicant proposes mitigation to use water in the 5 to 200 ft water bearing zone.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 for each application on or before JULY 6, 1999. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

June 17, 24, 1999

9056

RECEIVED

JUN 23 1999

WATER RESOURCES  
WESTERN REGION

MICROFILMED

JUN 09 1999



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190  
FAX (208) 334-2348

June 11, 1999

**PHILIP E. BATT**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

ID DEPT OF HEALTH & WELFARE  
DIV OF ENV QUALITY  
BOISE REGIONAL OFFICE  
PO BOX 83720  
BOISE ID 83706

Re: Application for Permit Nos. 63-12514 in the Name of Plumtree Subdivision, 63-12518 in the Name of Thomas Maile, 65-13878 in the Name of Farwest LLC & Martin Development and Application for Transfer no. 5468

Dear Sir:

Enclosed are copies of the above-referenced applications for permit which may be of interest to your agency. Please review the applications and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by July 6, 1999.

If you have any questions regarding the applications, please contact this office.

Sincerely,

Gary Spackman

GS:st

Encl.

MICROFILMED

AUG 09 1999

MEMORANDUM

TO: FILE

FROM: DANIEL A. NELSON

DATE: 6/9/1999

SUBJECT: CHANGES FOR APPLICATION FOR PERMIT 63-12518

The following changes were made for the following reasons.

- 3.) The county was added per map.
- 4.) The diversion rate was lowered per IDWR standards. The total irrigatable lands is 2.5 acres X .03 cfs = .075 cfs or .08 cfs. Season of use was changed to 01/01 to 12/31, per IDWR standards.
- 5.) Total diversion rate changed to reflect maximum allowable diversion rate.
- 6e.) Well driller was added per well log supplied by applicant.
- 12.) Added remarks per IDWR standards.

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AUG 03 1999

# TELEPHONE COMMUNICATION DOCUMENTATION

SUBJECT APPLICATION FOR PERMIT FOR THOMAS G. MAILE, IV AND/OR COLLEEN BIRCH/MAILE. APPLICATION FOR PERMIT # 63-12518

IDWR EMPLOYEE/AGENT: DAN NELSON

DATE: 06/09/1999

PERSON CONTACTED: THOMAS G. MAILE, IV

PHONE: (208) 939-1372

MAILING ADDRESS:

RE: REQUEST FOR WATER BEARING ZONE FOR APPLICATION FOR PERMIT  
# 63-12518

On this date I called Thomas G. Mailey asking for the water bearing zone that he planned to use water from. Mr. Mailey stated that the water bearing zone was between 60 and 150 feet.

MICROFILMED

JUG 09 1999

# TELEPHONE COMMUNICATION DOCUMENTATION

SUBJECT ADDITIONAL INFORMATION REQUEST CLARIFICATION FOR BAILEY  
PARK MOBILE HOME PARK APPLICATION

IDWR EMPLOYEE/AGENT: DAN NELSON

DATE: 06/04/1999

PERSON CONTACTED: THOMAS G MAILE, IV

PHONE: (208) 939-1372

MAILING ADDRESS:

**RE: CLARIFICATION OF ADDITIONAL INFORMATION REQUESTED FOR  
APPLICATION FOR PERMIT.**

On this date I returned a telephone call to Thomas Maile concerning his application for permit for Bailey Mobile Home Park. In this telephone conversation Mr. Maile informed me that the middle portion of the property shown on the map supplied was not his property. I marked this property out on the map and recalculated the acres and discovered that the total property owned by the applicant was 5.5 acres and that there is approximately 2.5 acres of irrigable lawn space.

Mr. Maile also informed me that he did use Nampa-Meridian Irrigation Co. water for this property and wanted to use the well as a supplemental well when this water was unavailable. Mr. Maile informed me that he would contact the irrigation company and determine how much water he was allotted for his property.

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AUG 09 1999

# THOMAS MAILE REAL ESTATE COMPANY

380 WEST STATE STREET, EAGLE, IDAHO 83616

(208) 939-1000 / Fax (208) 939-1001

Email: mailebox@nidlink.com

June 4, 1999

RECEIVED

JUN 07 1999

WATER RESOURCES  
WESTERN REGION

VIA FACSIMILE (208) 334-2348

Daniel A. Nelson  
State of Idaho Department of Water Resources  
2735 Airport Way  
Boise, Idaho 83705-5082

Re: Bailey Park Manufactured Home Park  
4024/4114 Airport Road, Nampa, Idaho

Dear Daniel:

Pursuant to our telephone conference on Friday, please find faxed herewith our Request to Process form completed wherein we have designated that we will agree to mitigate in the future if necessary.

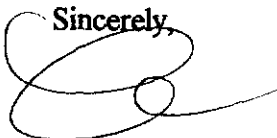
Also as discussed, please be aware that the total property acreage is 5.5 acres. The middle section in your map is not owned by us. Consequently, I believe 1.5 acres needs to be subtracted from your calculations set forth in paragraph one of your May 20, 1999.

Also, as confirmed by the Nampa Irrigation District, we currently have rights to 3.39 inches of water that is supplied in an open irrigation ditch. The intended purpose, of course, is to use the well water in conjunction and as a supplement to the ditch water from the Nampa Irrigation District to irrigate and to supply domestic water needs to the 39-unit manufactured home park.

We are faxing this and, in addition, will be providing originals by mail and would appreciate you processing the same as quickly as possible.

Should you have any questions, please feel free to call.

Sincerely,



Thomas G. Maile, IV

TGM

BAWPDATAHNELSON.WPD

Enclosures

MICROFILMED

JUN 09 1999

# TELEPHONE COMMUNICATION DOCUMENTATION

SUBJECT APPLICATION FOR PERMIT FOR THOMAS G. MAILE, IV AND/OR COLLEEN BIRCH/MAILE. APPLICATION FOR PERMIT # 63-12518

IDWR EMPLOYEE/AGENT: DAN NELSON

DATE: 06/04/1999

PERSON CONTACTED: THOMAS G. MAILE, IV

PHONE: (208) 939-1372

MAILING ADDRESS:

**RE: ADDITIONAL INFORMATION REQUESTED FOR APPLICATION FOR PERMIT  
# 63-12518**

On this date Thomas G. Mailey called asking for clarification of the letter that I sent him requesting additional information concerning his application for permit. In the telephone conversation we went over the information requested and he stated he would send a fax and then an original letter to deal with the issues requested in my letter dated 5/20/1999.

I received the fax that Mr. Mailey sent and discovered that he stated that this application was for domestic use. I called him back to verify that this application is external use only. He said it was for external use and that the trailer park used City water for internal use.

MICROFILMED

AUG 8 3 1999

**THOMAS MAILE REAL ESTATE COMPANY**

380 WEST STATE STREET, EAGLE, IDAHO 83616

(208) 939-1000 / Fax (208) 939-1001

Email: mailebox@midlink.com

June 4, 1999

**VIA FACSIMILE (208) 334-2348**

Daniel A. Nelson  
State of Idaho Department of Water Resources  
2735 Airport Way  
Boise, Idaho 83705-5082

Re: Bailey Park Manufactured Home Park  
4024/4114 Airport Road, Nampa, Idaho

Dear Daniel:

Pursuant to our telephone conference on Friday, please find faxed herewith our Request to Process form completed wherein we have designated that we will agree to mitigate in the future if necessary.

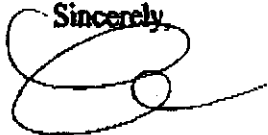
Also as discussed, please be aware that the total property acreage is 5.5 acres. The middle section in your map is not owned by us. Consequently, I believe 1.5 acres needs to be subtracted from your calculations set forth in paragraph one of your May 20, 1999.

Also, as confirmed by the Nampa Irrigation District, we currently have rights to 3.39 inches of water that is supplied in an open irrigation ditch. The intended purpose, of course, is to use the well water in conjunction and as a supplement to the ditch water from the Nampa Irrigation District to irrigate and to supply domestic water needs to the 39-unit manufactured home park.

We are fixing this and, in addition, will be providing originals by mail and would appreciate you processing the same as quickly as possible.

Should you have any questions, please feel free to call.

Sincerely,



Thomas G. Maile, IV

TGM

E:\WPDATA\H NELSON.WPD

Enclosures

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AUG 09 1999

# REQUEST TO PROCESS

COMPLETE REQUEST IF YOU WANT YOUR APPLICATION TO BE PROCESSED USING ONE OF THE  
THREE ALTERNATIVES BELOW

Name of Applicant Thomas G. and Colleen Maile  
Mailing Address 380 W. State Street  
Eagle, ID 83616  
Application No. \_\_\_\_\_  
(if known)

       IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

       PROPOSE MITIGATION NOW

Yes, I want my application processed and before it is advertised, I will amend my application to include proposed mitigation to offset anticipated depletions in the Snake River during periods of anadromous fish migration.

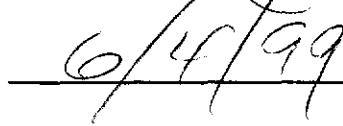
XX WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be needed in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

Signature



Date



Please return this form to:

Idaho Dept. of Water Resources  
Western Regional Office  
2735 Airport Way  
Boise, ID 83705-5082  
MICROFILMED

JUN 8 1999



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190  
FAX (208) 334-2348

5/20/1999

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

THOMAS G MAILE, IV  
AND/OR COLLEEN BIRCH-MAILE  
380 W STATE STREET  
BOISE, ID 83616

**RE: APPLICATION FOR PERMIT TO DIVERT GROUNDWATER FOR  
BAILY MOBILE PARK**

Dear Mr. and Mrs. Maile,

We received your application for permit on 4/29/1999. In order to continue processing your application we will need the following information. Your application will be held until this information has been received.

- 1.) **Number of Acres being irrigated:** In my review of the maps that you sent to our office it looks as though the entire trailer park including the roads is approximately 7 acres. The amount of ground that is lawn or that is irrigatable is about 4 acres of ground. Please let me know if you agree with these numbers and if you believe they accurate.
- 2.) **Description of Works:** Please enclose a short description of your proposed system. An example of a description would be "submersible pump to underground sprinkler system".
- 3.) **Possible Surface Water Rights:** In notes from Cindy Zimmerman, from the State Office of the Idaho Department of Water Resources, she stated that you were aware that you would need to use your surface water rights prior to using your well water. However, no mention of canal shares, ditch company shares, or other types of surface water rights were mentioned on the application for permit form. Please give me a brief description of the surface water that you use including:
  - a.) The ditch or canal company (if any)
  - b.) The number of shares you hold (if any)
  - c.) How much water is available per share (if applicable)
  - d.) OR If you do not have canal shares the water source you use for irrigation and the water right number for this use (if known).

*SUPPLEMENTAL TO  
Nampa / Meridian*

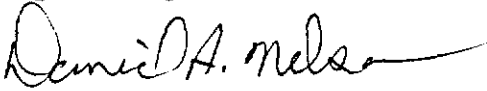
**COPY** MICROFILMED  
JUN 8 9 1999

page 2  
Maile

- 4.) **Request to Process Form:** Enclosed you will find a request to process form. You will need to fill out the top of this form and choose one of the three options and then sign and return it to our office. Most of the applicants in our office choose the third choice "Will agree to mitigate consumptive use in the future as needed". The other two choices requires costly mitigation plans and studies that need to be submitted to our office prior to proceeding with processing. If you decide to choose one of the other choices please contact me at the above telephone number for the information that will be needed.

In order to process your application in a timely manner, please return this information to our office by June 21, 1999. If you have any questions or concerns please contact me at the above telephone or address.

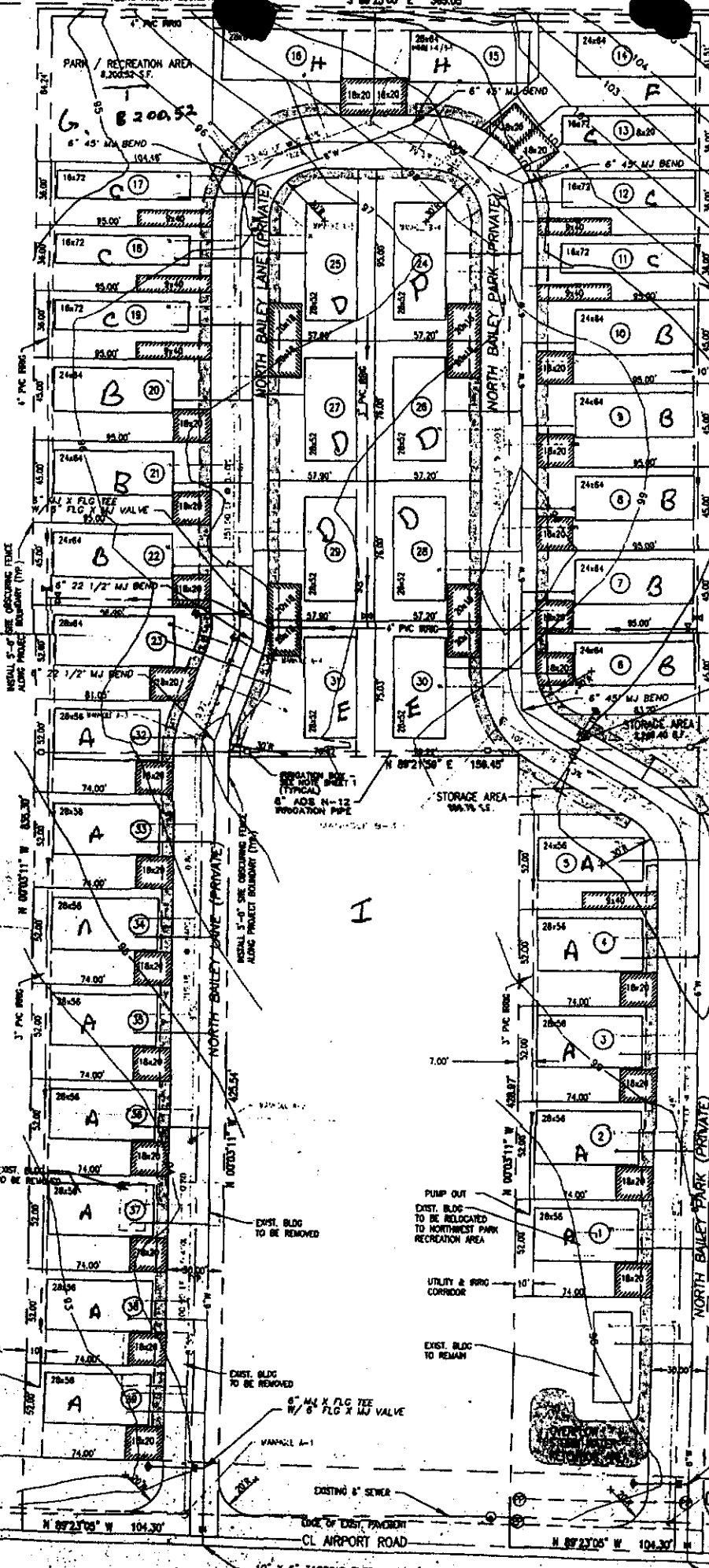
Respectfully,



Daniel A. Nelson  
Water Right Agent

MICROFILMED

005 0 9 1999



TOTAL  
acres  
Including  
Homes

(365.05) (835.3)  
43,560

17 acres.

- (13) A = 1920 sq ft
- (8) B = 2379 sq ft
- (4) C = 1908 sq ft
- (6) D = 2531.2 sq ft
- (2) E = 3302
- (1) F = 3948
- (1) G = 8200.52
- (2) H = 5941
- (1) I = 66,836
- (1) J = 2424

TOTALS

- A = 24960
- B = 19032
- C = 7632
- D = 15186
- E = 6604
- F = 3948
- G = 8200.52
- H = 11882
- I = 66,836
- J = 2424

43560 166,705

APPROX. 3.8 ACRES  
"Bailey Park" TRACT

115 AC  
2.3 AC.

39 UNITS

APPROX.

63-12518

1 ACRES  
PER UNIT.

MICROFILME

AUG 09 1993

4/29/99

c3.

**THOMAS MAILE REAL ESTATE COMPANY**

380 WEST STATE STREET, EAGLE, IDAHO 83616

(208) 939-1000 / Fax (208) 939-1001

Email: mailebox@nidlink.com

April 19, 1999

**HAND DELIVERED**

**RECEIVED**

**APR 29 1999**

Department of Water Resources

Ms. Cindy Zimmerman   
State of Idaho  
Department of Water Resources  
1301 North Orchard  
Boise, Idaho 83706

Re: Bailey Park Manufactured Home Park  
4024/4114 Airport Road, Nampa, Idaho

Dear Ms. Zimmerman:

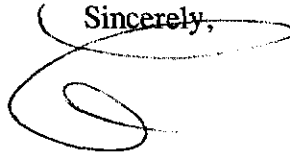
Please note herewith our **ORIGINAL** domestic well water application. The purpose of the application is to supply domestic water use to a 39-unit manufactured home park located at the above-referenced address.

Please find enclosed herewith a copy of a Well Driller's Report which shows the establishment of a well that has never been utilized since its inception in 1993. The prior owner had the well drilled and from the report it seems to provide a good source of water flow. I also enclose a check in the amount of \$50.00 as the estimate for the fee for the application.

As discussed by telephone, the City of Nampa will be providing city water and sewer to each individual lot and the applicant seeks the use of domestic water to irrigate each lot, which will be less than one-half acre per lot. The overall acreage is 5.5 acres.

Should you have any questions, please feel free to call.

Sincerely,



Thomas G. Maile, IV

TGM:mkp

G:\WPDATA\H\BAILEY\ZIMMERMA.LTR

Enclosures

MICROFILMED

APR 29 1999

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES NOV 01 1993

USE TYPEWRITER OR  
BALLPOINT PEN

## WELL DRILLER'S REPORT WATER RESOURCES DIVISION REGIONAL OFFICE

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

[illegible]

|                   |         |         |             |               |   |
|-------------------|---------|---------|-------------|---------------|---|
| Post-It® Fax Note | 7671    | Date    | 6-25        | # of<br>pages | 1 |
| to Tom Mabe       |         | From    | Linda Tracy |               |   |
| Co./Dept.         |         | Co.     | EDWR        |               |   |
| Picture #         |         | Phone # | 327-7900    |               |   |
| Fax #             | 39-1001 | Fax #   |             |               |   |

Post-It® Fax Note 7671

1292

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• **تأثيرات بيئية:** دراسة تأثيرات التغيرات البيئية على التنوع البيولوجي.

2000

2

PN52124

Exhibit "A"

PARCEL I:

COMMENCING at the Southeast corner of the Northwest Quarter of the Northeast Quarter of Section 24, Township 3 North, Range 2 West, Boise Meridian, Canyon County, Idaho, and bearing

West 677.95 feet along the South boundary line thereof to the REAL POINT OF BEGINNING; thence

North 835.3 feet on a line 677.95 feet West and parallel to the East boundary line of the Northwest Quarter of the Northeast Quarter of the aforesaid Section 24; thence

West 104.30 feet, on a line parallel with the South boundary line of the Northwest Quarter of the Northeast Quarter of the aforesaid Section 24; thence

South 835.3 feet on a line parallel with the aforesaid East boundary to the intersection of the aforesaid South boundary line; thence

East 104.30 feet along the aforesaid South boundary line to the REAL POINT OF BEGINNING.

PARCEL II:

BEGINNING at a point North 89° 12' West 521.5 feet along the Southern boundary of the Northwest Quarter of the Northeast Quarter of Section 24, Township 3 North, Range 2 West of the Boise Meridian in Canyon County, Idaho, and due North 428.95 feet along a line parallel to the East boundary of said Northwest Quarter of said Northeast Quarter of said Section 24 which point will be known as the REAL POINT OF BEGINNING; thence

South 89° 36'30" West 156.45 feet to a point; thence

North 409.76 feet along a line parallel to the East boundary of said Northwest Quarter of the Northeast Quarter of said Section 24 to a point; thence

South 89° 12' East 156.45 feet along a line parallel to the South boundary of said Northwest Quarter of said Northeast Quarter of said Section 24 to a point; thence

South 406.35 feet along a line parallel to said East boundary of said Northwest Quarter of said Northeast Quarter of said Section 24 to the REAL POINT OF BEGINNING.

MICROFILMED

AUG 09 1999

PN48604

EXHIBIT "A"

COMMENCING at the Southeast corner of the Northwest Quarter of the Northeast Quarter of Section 24, Township 3 North, Range 2 West, Boise Meridian, Canyon County, Idaho, and bearing

West 417.20 feet along the South boundary thereof to the REAL POINT OF BEGINNING; thence

North 835.3 feet on a line 417.20 feet West and parallel to the East boundary line of the Northwest Quarter of the Northeast Quarter of the aforesaid Section 24; thence

West 104.30 feet on a line parallel to the South boundary line of the Northwest Quarter of the Northeast Quarter of the aforesaid Section 24; thence

South 835.3 feet on a line parallel to the aforesaid boundary line to the intersection of the aforesaid South boundary line; thence

East 104.30 feet along the aforesaid South boundary line to the REAL POINT OF BEGINNING.

9825268

RECORDED

98 JUL 6 PM 4 15

NED J KERR

CANYON CNTY RECORDER

BY

*J. M. J. J. J.*

PIONEER — NAMPA

REQUEST

TYPE

*Deed* FEE *6.00*

MICROFILMED

AUG 9 9 1993

63-12518

BIRCH MAILE, COLLEEN  
MAILE IV, THOMAS G  
380 W STATE ST  
EAGLE, ID 83616

Source: GROUNDWATER

Diversion Pt: NWNE Sec 24 T 03N R 02W in CANYON County.

Use: DOMESTIC ( 0.080 CFS)  
Total Diversion: ( 0.080 CFS)

Date Filed: 4/29/1999

In: CANYON County  
T03N R02W S24 NWNE

Applicant agrees to mitigate consumptive use in the future as needed. Domestic use is to divert water from the 60 to 150 foot water bearing zone for 39 lawns in Bailey Manufactured Home Park.

MICROFILMED  
AUG 8 9 1999